



Local Licensing Authority

TRANSFER OF OWNERSHIP APPLICATION

Information & Checklist

Description:

Whenever a business with a liquor license is purchased or ownership is transferred to a new legal entity, the new licensee may either apply for a brand new license or apply to transfer an existing license to the new person, organization or entity.

After a complete application packet is submitted and background check results have been received, the application is scheduled for review by the Authority at an upcoming meeting by the Deputy City Clerk. When a license is transferred, the Local Licensing Authority must determine whether or not the applicant is of "good moral character." Thus, the applicant is required to attend this meeting and will be notified of the date and time to be present. Building and Fire Inspectors also must verify that the establishment meets code and the applicant is responsible for scheduling inspections.

If approved by the local authority, the application will be forwarded to the State for processing. Once the State has reviewed and approved the application, a new license will be issued to the Deputy City Clerk. Once all building and fire inspections have been passed, the state and local licenses will be issued to the licensee.

What to know before submitting an application:

- √ For questions about this application or the process, please contact the secretary to the Local Licensing Authority, the Deputy City Clerk, at 350 Kimbark St. or (303) 651-8647.
- √ It is estimated that it may take *approximately* 60 days (from application submittal to issue date) to complete the processing of this application.
- √ **TWO (2) complete, identical packets must be submitted** to the City Clerk's Office, 350 Kimbark Street, Longmont, CO 80501. Incomplete application packets will not be accepted. **Please do not staple pages.**
- √ ALL documents must be properly executed and must correspond with name of applicant exactly. **ALL documents must be 8 ½ x 11** and be typed or legibly printed in black ink.
- √ Some documents require a notary. The City Clerk's staff can notarize these documents for you when you submit your application packet, if needed. Please be sure to bring your photo identification with you.
- √ The Local Licensing Authority meets on the third Friday of each month at 10:00 a.m. in Courtroom A of the Safety & Justice Center, 225 Kimbark St. You will be notified when your application will be scheduled for review by the Authority and you, or a representative, must appear at the hearing when scheduled.
- √ Licensees are expected to know, understand, and comply with the Colorado Liquor and Beer Code. Copies of the Colorado Liquor/Beer Code are available on the State of Colorado Department of Revenue website at: <https://www.colorado.gov/pacific/enforcement/liquor>

Checklist of documents to submit:

A. APPLICATION:

- ☐ 1. If applying for a 3.2% Beer license, complete and submit the DR 8403 (Colorado Fermented Malt Beverages (3.2% Beer) License Application). All other license types, complete and submit the DR 8404
- ☐ 2. Complete in all appropriate sections – signed and dated
- ☐ 3. Appropriate fees attached (see Local Fee Schedule)

- ☐ 4. City of Longmont Consent to Transfer License (complete and executed)
- ☐ 5. Affidavit of Transfer and Statement of Compliance (complete and executed)
- ☐ 6. City of Longmont Application for Temporary Permit (if applicable)
- ☐ 7. \$100 Temporary Permit Fee payable to City of Longmont (if applicable)

B. PROOF OF POSSESSION OF PROPERTY:

- ☐ 1. Deed or Lease
- ☐ 2. Lease must be in EXACT SAME NAME as line 2 on the DR8404; cover entire license period; be properly executed; and demonstrate possession of all areas shown in premises diagram (i.e. patios, storage rooms, etc.)
- ☐ 3. Consent and acceptance on assignments (if applicable)
- ☐ 4. Detailed drawing of the premises to be licensed with "licensed premises" outlined in **RED** (the diagram must include: dimensions, exterior areas should show control and be contiguous, exact seating, kitchen and alcohol storage areas labeled, and a separate diagram for each floor)

C. FINANCIAL DOCUMENTS:

- ☐ 1. City of Longmont Financial Questionnaire and Affidavit (notarized)
- ☐ 2. City of Longmont Consent to Release Financial Information (one for each owner/officer - notarized)
- ☐ 3. Purchase agreements or stock transfer agreements
- ☐ 4. Copies of notes or loans (i.e. assumed, banks, previous owners)

D. CORPORATE DOCUMENTS (if a corporation):

If applying entity is a Corporation:

- ☐ 1. Certificate of Incorporation or date-stamped (by Secretary of State) Articles of Incorporation
- ☐ 2. Certificate of Good Standing issued within past two years (for corporations older than two years)
- ☐ 3. Articles of Incorporation
- ☐ 4. Certificate of Authority (if foreign corporation)
- ☐ 5. Minutes of Corporate Meeting (showing elections, resignations, stock breakdown)
- ☐ 6. Stock Certificates (100%) or Affidavit showing stock breakdown
- ☐ 7. List of officers/stockholders/directors of parent corporation (if applicable)

If applying entity is a Limited Liability Company (LLC):

- ☐ 1. Articles of Organization acknowledged (date-stamped) by Secretary of State's Office
- ☐ 2. Operating Agreement
- ☐ 3. Certificate of Authority (if foreign company)
- ☐ 4. Minutes from Meetings reflecting acceptance of new members

If applying entity is a Partnership (not needed for husband and wife):

- ☐ 1. Partnership agreement

G. BACKGROUND INVESTIGATION DOCUMENTS:

(each of the items below is required for each owner with 10% interest or more in the legal entity applying for the license listed on page 4 of the DR8404):

- ☐ 1. Individual History Record (DR8404-I)
- ☐ 2. Three (3) character reference letters. One of the letters must specifically address financial character per local rules.
- ☐ 3. Fingerprints (make appointment online by clicking on "Fingerprinting Information" at: <http://longmontcolorado.gov/departments/departments-a-d/city-clerk/licenses-and-permits/liquor-licenses>)
- ☐ 4. \$38.50 per person Background Investigation Fee payable to Colorado Bureau of Investigation (must be paid by Money Order, Cashier's Check, or Business Check - personal checks not accepted)
- ☐ 5. City of Longmont Authorization to Release Information (notarized)

H. MANAGEMENT INFORMATION:

1. Is this application for a Hotel & Restaurant or a Tavern license?

>NO. Complete and submit only the following form:

- ☐ 1. City of Longmont Manager's Registration Form

>YES. See #2 (below).

2. >Will an owner be the Registered Manager (anyone listed on page 4 of the DR8404)?

>YES. Complete and submit only the following form:

- ☐ 1. City of Longmont Manager's Registration Form

>NO. If the registered manager will be someone *other* than the licensee or one of the owners, submit the following documents for that person:

- ☐ Manager's Registration Form (DR8442)
- ☐ City of Longmont Manager's Registration Form
- ☐ Individual History Record (state form #DR8404-I)
- ☐ Fingerprints (make appointment online by clicking on "Fingerprinting Information" at: <http://longmontcolorado.gov/departments/departments-a-d/city-clerk/licenses-and-permits/liquor-licenses>)
- ☐ Three (3) character reference letters
- ☐ Management agreement (employer-employee contract or affidavit showing duties, limitations, and compensation)
- ☐ Manager Registration Fees:
 - \$75.00 payable to the Colorado Department of Revenue
 - \$75.00 payable to the City of Longmont
 - \$38.50 payable to CBI for the background check